



The Trial of Socrates

IN 1988 I. F. STONE, the highly regarded, indeed, revered independent journalist, published his *The Trial of Socrates* (New York: Little, Brown & Company, 1988), which appeared in an Anchor paperback the next year. The book has been widely discussed, and was reviewed by the distinguished British scholar M. F. Burnyeat in the *New York Review of Books* (March 31, 1988). Here follow a few bits of that review.

The Trial of Socrates
by I. F. Stone.
Little, Brown, 282 pp., \$18.95

1.

When one legend writes about another, the result is bound to be explosive. One could read I. F. Stone's book as the most intemperate attack on Socrates since he was tried and found guilty in 399 BC. Some already have read the book that way, calling Stone a "cultural philistine." A grave mistake.

The attack on Socrates does not spring from intemperance, but from Stone's devotion to ancient Athens, cradle of freedom, democracy, and the love of justice and truth. These are the values for which Stone has fought, on behalf of us all, in the contemporary world. The book begins with a cry of pain:

How could the trial of Socrates have happened in so free a society? How could Athens have been so untrue to itself?

The pain is not resolved:

I could not defend the verdict when I started and I cannot defend it now. But I wanted to find out what Plato does not tell us, to give the Athenian side of the story, to mitigate the city's crime and thereby remove some of the stigma the trial left on democracy and on Athens.

'Sidney Hook in *The Wall Street Journal*, January 20, 1988.

The rest of the book is a battle between one uncompromising idealist and another.

The battle between Stone and Socrates was first joined in *The New York Times Magazine* on Sunday, April 8, 1979, but, according to Stone's own account, the story really begins in 1971 when he was forced by ill health to close his famous one-man publication, *I. F. Stone's Weekly*. After a lifetime's practical involvement in campaigns for civil liberties, he retired from full-time journalism and decided to write a study of freedom of thought in human history. He was then sixty-three.

He began with Milton and the English revolutions of the seventeenth century. That took him back to the Protestant Reformation, that in turn through the Middle Ages to the origins of it all in ancient Athens. "There, like so many before me, I fell in love with the ancient Greeks."

He learned Greek. A footnote in the book records with justifiable pride the hard work he put into reading the three plays of Aeschylus' *Oresteia* in the original: twelve weeks, five to six hours a day, seven days a week. I well remember an evening in a Soho restaurant—my one meeting with him. Whether we discussed Pindar or Thucydides, Sophocles or Plato, his admiration and enthusiasm were exceeded only by his curiosity and desire to know more. Most of the questions he plied me with I could not answer. Not long afterward he "went public" in *The New York Times Magazine*. The heading of his piece read:

I. F. STONE BREAKS THE SOCRATES STORY. An old muckraker sheds fresh light on the 2,500-year-old

mystery and reveals some Athenian political realities that Plato did his best to hide.

2.

At that stage Stone had two main points to urge against Socrates on behalf of the Athenians. The first was that Socrates' teaching was antidemocratic, the second that he remained in the city, silent and inactive, throughout the bloody dictatorship of the Thirty Tyrants in 404 BC. Conclusion: although the charge on

which Socrates was tried spoke of impiety and corrupting the young, the real case against him was political. He had been undermining the faith of the young in democratic institutions.

This conclusion was not new to historians. The first point in Stone's indictment was not new either, although some of the arguments for it were novel. The second point was new. Stone put it in italics to show that in his judgment it carried the greater weight. As he said, few historians have explained, or even mentioned, the fact that Socrates remained in the city throughout the dictatorship. The question was: Did it need to be mentioned or explained? Was Stone right to suggest that "that single fact must have accounted more than any other for the prejudice against Socrates when the democracy was restored?"

The great achievement of Stone's book is its vivid and detailed portrayal of Athenian political experience

in the troubled period leading up to the trial of Socrates. The appalling regime of the Thirty was imposed by the Spartans, victorious and vindictive at the end of a long-drawn-out war. But already in 411 Athens had endured an oligarchic revolution, with gangs of bully boys bringing terror to the streets. These bully boys—the phrase is Stone's, designed to evoke the death squads used by the military in

Argentina, El Salvador, and Chile in our time—came from the same aristocratic circles as many of the young men who flocked around Socrates. Their secret conspiratorial clubs did not cease to meet when democracy returned. Even after the Thirty were overthrown, when the restored democracy, in an extraordinary and much-praised spirit of reconciliation, declared an amnesty that made it illegal to prosecute anyone for the crimes of the recent past, even then the oligarchic menace did not go away. A new attack from nearby Eleusis was quelled in 401, just two years before the trial of Socrates.

Stone's account of these events is marvelously and movingly written. The reader is left with a strong sense that these were times when it would have been pardonable to think, "He that is not with us is against us." Especially about someone who was intimately associated with a number of people who patently were against us.

Of course, this would be guilt by association. But that is precisely the question. Was Socrates charged and found guilty because, or partly because, he was associated in the minds of many Athenians with right-wing terrorism? Fifty-four years later an Athenian orator could speak as if this was both true and proper, a salutary precedent for the case in hand:

Men of Athens, you put to death Socrates the sophist because he was shown to have been the teacher of Critias, one of the Thirty who overthrew the democracy.

But fifty-four years is a long time (how much accurate knowledge would a present-day jury have about a famous trial in the Thirties?) and Socrates is blackened here for having been the teacher of Critias, not for inactivity during his tyrannical regime. Stone is well aware of the difference, and it is the evidence for his novel thesis about Socrates' inactivity in 404 that I chiefly want to discuss. If we suppose it is correct to think that Socrates was associated with right-wing terrorism, is it also plausible to think that the prejudice against him was intensified by his remaining in the city, silent and inactive, while the killings and the confiscations went on?

3.

I propose that we should distinguish rather firmly three separate issues. The first is Stone's own judgment of Socrates:

Socrates, during these fateful conflicts and their humane resolution, did not take his stand with the aristocrats, or his own middle class, or the poor. The most talkative man in Athens fell silent when his voice was most needed. One possible reason is, simply, that he did not care enough.

Stone's voice did not fall silent when it was needed. Most surely, the right to pass judgment on Socrates is a right that he has earned. The question I shall want to return to is whether his judgment has helped him in understanding what Socrates is about, or hindered. But even if, as I shall in fact suggest, it has hindered his understanding of Socrates, it may nonetheless have helped him to a sympathetic understanding of the ordinary, politically involved Athenian citizen's reaction to Socrates. This is the second issue I want to distinguish.

Take the incident, well known to readers of Plato's *Apology*, when the Thirty instructed Socrates, along with four others, to arrest Leon of Salamis and bring him in for execution. They did this with a view to implicating as many people as possible in their crimes. Socrates refused, on the grounds that the action was unjust and impious. But what Stone chooses to emphasize is the manner of his refusal. According to the *Apology*, he did not speak out but *simply went home*, while the other four set off to arrest Leon. Stone comments:

Socrates did not—like his accuser, Anytus—leave the city and join the exiles who were already planning the overthrow of the dictators. He would have been a welcome and inspiring recruit. He "simply went home." Was that fulfilling his civic duty against injustice? Or was he merely avoiding personal complicity and, as he expressed it, saving his soul?

Stone's own attitude is clear. But is he right to think that many Athenians would have agreed with him?

Stone's evidence on this second issue is extremely interesting. It was not of

course a crime to have remained in the city during the dictatorship, and even if it had been, the amnesty forbade prosecution. But there was a definite prejudice against those who remained. A number of passages in the speeches that survive from later court cases in the corpus of the orator Lysias show the speaker exploiting the prejudice, or guarding against it. One Lysianic speech, of which only a fragment survives, bore the title "In Defense of Eryximachus, Who Remained in the City." It seems fair to congratulate Stone for identifying an animosity that could have influenced some of the jurors at the trial of Socrates.

Naturally, "could have" does not entail "did." No one knows what factors did influence the 501 Athenians who sat on the jury in 399 BC. The first sentence of Xenophon's *Memorabilia* says:

I have often wondered by what arguments those who drew up the indictment against Socrates persuaded the Athenians that he deserved to be put to death by the city.

But if, with Xenophon and many modern historians, we surmise that the prosecutors or individual jurymen were moved by political considerations that the amnesty forbade them to express, then every current of animosity from the tense years after the dictatorship is relevant. "Could have" is all that Stone should be asked to prove.

4.

The third issue is Socrates' side of the story. The dictatorship of 404 is just one of a number of occasions when Socrates, in Stone's view, could and should have spoken out. Instead, he "preached and

practiced withdrawal from the political life of the city." Stone's Socrates is a quietist who believes that everyone should concentrate on saving his own soul. It is not hard to find evidence that many Athenians would think this an accurate portrayal of the man. Would Socrates?

The answer, I believe, is "Yes and No." There were quietists with whom Socrates could easily be confused. But in the *Apology* he denies that he has been a quietist. He calls himself an activist—an activist of a unique kind:

In my way of life I did not keep quiet. I did not indeed concern myself with the things that most men

care about — money-making and property, becoming a general and a public speaker and holding office, *joining the political clubs and factions that form in the city*. I thought myself too honest to survive if I went in for those things. So I didn't—I would have been of no use either to you or to myself. Instead, I went to each person individually to do him what I call the greatest of all good deeds. I tried to persuade each of you that none of your concerns should come before caring for yourself, to be as good and wise as possible, and that *none of the city's concerns should come before caring for the city itself* [sc. that it too should be as good and wise as possible], and that you should care for everything else in the same manner as this.

I have italicized two portions of this text. The first is the one that interests Stone. He finds it significant that Socrates feels obliged to deny he ever joined a conspiratorial club. The second is the one that strikes me as important. For it shows that Socrates has a genuinely *political* goal. What keeps him away from the usual forms of political activity (democratic or oligarchic) is that he cannot achieve his goal by such means.

Socrates' aim, for the city as for the citizen, is moral reform. He believes that the city's first concern, like the citizen's, should be to become as good and wise as possible. This does not rule out ordinary political goals like defense, welfare, and building the Parthenon. But it does imply a radical rethinking of the value of such goals, and severe constraints on the manner in which they may be pursued. For it implies that no political program should be launched without first ensuring that it will promote the virtue and wisdom of the city. So profound a reorientation of political life is not likely to come about by the usual kinds of constitutional reform (changing democratic institutions for oligarchic ones or the reverse). It is a reform that must take root in the minds of individual citizens. Hence it is to individual minds that Socrates' political activism is addressed.

He goes around Athens like a gadfly, stinging people with his questions and arguments to think more and care more about virtue and wisdom than about their other concerns. In short, he is the marketplace philosopher. This makes him look like a quietist. But according to

Socrates, his philosophizing with citizens one by one is a *gift to the city*. He goes so far as to say that no greater good has ever come to Athens.

This is an astonishing claim. You may call it woolly-minded, moralistic folly. I prefer to say it is an idealism as uncompromising in its own way as Stone's, and that Socrates' conduct in the affair of Leon of Salamis shows him at his most uncompromising. Of course he will philosophize with Critias and Charmides as individuals. Plato wrote a whole dialogue, the *Charmides*, in which Socrates cross-examines the two future dictators on the virtue of temperance. But the dialogue ends with Socrates saying that if Charmides ever turns to force at Critias' command, he will not take counsel with him, nor offer opposition. Is this the voice of one who does not care? Or is it rather the intransigence of a man prepared to live, and if necessary to die, for his own special understanding of what it means to care for the city and for one's fellow men?

6.

I regret to report that Stone has very little patience with philosophy. "Stratospheric nonsense" is a sample comment, prompted by a passage that scholars like me write whole articles to explain. Very well. If Stone finds the inconclusive meanderings of philosophical argument a distraction from more urgent and more practical matters, so too do a number of Socrates' interlocutors in the dialogues. In this and much else, Stone is at one with many of the Athenians he so passionately wishes to excuse. Let me therefore try an indirect approach.

I shall argue that one proper and useful way to extenuate the Athenians' condemnation of Socrates is by examining the implications of his philosophy for traditional Athenian religion. For while Xenophon's Socrates is no threat to anyone's piety (as Xenophon is at pains to point out), Plato's Socrates is a philosopher who wants a reasoned account of what piety is.

We begin by opening Plato's *Euthyphro*, to which ancient editors gave the subtitle "On piety: a testing dialogue." Euthyphro, whose ideas about piety Socrates will put to the test, is prosecuting his own father. On their farm on the island of Naxos a hired laborer killed one of the house

slaves in a drunken brawl. Euthyphro's father tied the man up, threw him into a ditch, and sent a messenger to Athens to ask the religious authorities what he ought to do. By the time the messenger returned, the laborer was dead from hunger and cold. Question: Does Euthyphro act piously in bringing a charge of homicide against his own father on behalf of the laborer?

The magistrate before whom Euthyphro has come to lay his charge is about to give a preliminary hearing to the charge against Socrates, who is accused, so he tells Euthyphro, of corrupting the young by making new gods and not believing in the old ones. Question: Is Socrates guilty of impiety?

Euthyphro is shocked that Socrates should be so accused: he has great respect for Socrates. Socrates is shocked that Euthyphro should so confidently accuse his father: he has little respect for Euthyphro. Stone is shocked by Socrates' lack of compassion for the dead laborer in the ditch. For six magnificent pages he rips into Socrates for not seeing that only pity, not logic, will clear our vision to resolve the agony of Euthyphro's conflict

of obligations. But there he stops. He has no time for "the arid semantics of the Socratic interrogation" that follows. No time, that is, for the discussion of the question, well motivated in the dramatic context, "What are piety and impiety both in relation to murder and in relation to other things?" Yet this is a discussion in which Plato invites us to reflect at a philosophical level about conflicts of religious obligation and whether they can be resolved.

I share Stone's view that there are conflicts of obligation that no amount of thinking will resolve. But lots of people, Socrates among them, disagree. It takes thought, not indignation, to defend the view that there are some questions that thought cannot resolve. Let us read on.

Euthyphro suggests that piety is what is pleasing to the gods. Now if by "definition" you mean what many modern phi-

losophers mean by it, an analysis of the meaning of a word in ordinary discourse, then Euthyphro's definition of piety is as good a definition as you will find in the Platonic corpus. Greek religion was much occupied with propitiating and pleasing gods. The snag was, how can humans know what gods want? Worse, different divinities often want different and incompatible things, as in the case of

Euripides' Hippolytus caught in the cross fire between the virgin goddess Artemis and Aphrodite, goddess of love. The conflict of religious obligations may be tragically unresolvable.

Just this is the point on which Socrates fastens. The gods quarrel and disagree—at least according to the stories that Euthyphro believes. Socrates has already said he is reluctant to accept the religious narratives of his community. But, given Euthyphro's beliefs, Socrates is entitled to argue:

It would not be surprising if, in punishing your father as you are doing, your action is pleasing to Zeus [who tied up his father, Cronus, for eating his own children] but hateful to Cronus and Uranus [Zeus's godfather, whom Cronus castrated], pleasing to Hephaestus but hateful to Hera, and similarly with respect to any other gods who may be concerned in the matter.

In short, the same thing may be both pious (because pleasing to some gods) and impious (because displeasing to others).

Euthyphro should have replied, "Yes, that's life. Remember Hippolytus." But he lets Socrates change the definition of piety so that it reads: what is pleasing to *all* the gods. This is fatal. Why have many gods if they think and act as one? Were this definition of piety to gain

acceptance at Athens, it would destroy the community's religion.

More is to follow. Socrates asks: Are the gods pleased by what is pious because it is pious, or is it pious because it pleases the gods? (Compare the question that exercised Christian theologians in later times: Does God command what is good because it is good, or is it good because God commands it?) A knotty, abstract, but enormously influential piece of reasoning forces Euthyphro to endorse the first alternative and reject the second—another blow to traditional religion. Piety becomes a moral quality inde-

pendent of divine pleasure and displeasure. The gods not only think and act as one, they love virtue and hate vice. If you want to know how to please the gods, moral philosophy will tell you more than divination. Such gods would never have brought about the Trojan War. Indeed, with gods as rigorously moral as Socrates', Greek culture would have been impossible and, in consequence, Western civilization would not be what it is today.

I conclude that a reasonably conscientious Athenian in 399 could have voted in good faith to find Socrates guilty of impiety and corrupting the young.

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